

**REMARKS*****Status of the claims***

Upon entry of this amendment, claims 1, 3-6, and 8-15 are pending in this application. Of these, claim 1 is independent. This amendment cancels claim 2. Claims 1 and 13 are sought to be amended. New claims 14 and 15 are sought to be added. These changes are believed to introduce no new matter. Moreover, Applicants believe that these changes neither raise new issues nor require a new search. Accordingly, entry and consideration of this amendment are respectfully requested.

***Objections to the claims***

Claims 1, 2, 13 are objected to for containing certain informalities. Claim 2 has been canceled. Claims 1 and 13 have been amended to remove these informalities. Accordingly, Applicants request that these objections be withdrawn.

***Rejections under 35 U.S.C. § 112***

Claim 2 and 13 are rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite. In particular, the Examiner asserts that these claims do not clearly describe the variables  $a$ ,  $b$ ,  $\theta$ ,  $k_1$ , and  $k_2$ . Claim 2 has been canceled, thereby rendering this rejection moot. Claim 13, as amended, describes each of these variables. Applicants respectfully request that this rejection be withdrawn.

***Rejections under 35 U.S.C. § 102***

Claims 1, 3-6, and 8-10 are rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent No. 6,144,159 to Lopez et al. ("Lopez"). Applicants respectfully request reconsideration.

The Examiner asserts that Lopez discloses the features of claim 1 at column 3, lines 56-67, column 4, lines 1-67, and column 5, lines 38-67. However, these portions of Lopez clearly state that four light spots (24, 25, 26, and 27) are emitted on a road. A distance  $e_1$  is defined between spots 25 and 27, and a distance  $e_2$  is defined between

sports 24 and 26. Lopez evaluates each of these distances in a direction that is perpendicular to the longitudinal axis of the vehicle.

Lopez discloses a receiver 30, which forms images e10 and e20 of the distances e1 and e2. A signal transceiver element 42 then forms a ratio q of these last images. Thus, q is a ratio of the magnitude of spacing e10 to the magnitude of spacing e20. This ratio is then sent to a comparator (see Lopez at column 5, lines 47-56).

On the contrary, the present invention, as recited in amended claim 1, makes use of only two light spots, emitting along in a direction parallel to the longitudinal axis of the vehicle, the processing means elaborating a linear function of the images of the two light spaces. The ratio q of Lopez can in no way be considered as a linear function of the images of the spots.

Accordingly, the features of claim 1 and its dependent claims are neither taught nor suggested by Lopez. Thus, Applicants respectfully request that this rejection be withdrawn.

In addition, further differences exist between Lopez and the present invention. For instance, new claim 15 recites "wherein each of the output signals represents a distance of the image of the corresponding light spot from a center of the surface." Lopez neither teaches nor suggests this feature. Instead, Lopez discloses the use of signals corresponding to horizontal spacing between data points.

### **CONCLUSION**

Applicants respectfully submit that all of the stated grounds of rejection have been properly traversed accommodated or rendered moot. Thus, Applicants believe that the present application is in condition for allowance, and as such, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections, and allowance of this application.

PATENT

Docket No. 1948-4761

**AUTHORIZATION**

A check for \$110.00 is enclosed for covering one-month extension fees. The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4503, Order No. 1948-4761.

Respectfully submitted,  
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